

**DECISION**

**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D.C. 20548

**FILE:** B-213396.2

**DATE:** May 2, 1984

**MATTER OF:** Systems Development Corporation, A  
Burroughs Company--Request for  
Reconsideration

**DIGEST:**

Request for reconsideration is dismissed where issues raised are before a court of competent jurisdiction and the court, which expressed an interest in a decision by GAO, has not indicated any interest in having GAO reconsider the decision.

Systems Development Corporation (SDC), a Burroughs Company, requests reconsideration of our decision in Delta Data Systems Corporation, B-213396, April 17, 1984, 84-1 CPD \_\_\_\_\_. In that decision we sustained Delta Data's protest of the contract awarded to SDC under solicitation No. 2591 issued by the Federal Bureau of Investigation for computer terminals, disc devices and printers.

After Delta Data's protest was filed with this Office, Delta Data filed suit against the government in the United States District Court for the District of Columbia (Civil Action No. 83-3051). The court subsequently advised us that it was interested in our advisory opinion on the issues raised in Delta Data's protest, and our decision was issued in response to that request.

SDC maintains that our decision was erroneous, primarily because we allegedly failed to consider arguments made in the FBI's final brief filed on February 13, 1984, the agreed upon cut-off date for filing of submissions in this case. SDC's argument stems from the fact that in our decision we stated that February 12 was the cut-off date. This was a typographical error and corrected decision pages with the proper, agreed upon date, February 13, have been sent to all parties.

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The issues raised by SDC in its request for reconsideration concern the same or integrally related issues as those which are the subject of the court action. It is our policy not to decide matters where, the material issues are before a court of competent jurisdiction, unless the court expresses an interest in a decision by our Office. See 4 C.F.R. § 21.10 (1983). The court has not indicated any interest in our reconsidering the prior decision; therefore, we will take no further action in the matter. See R.H. Pines Corporation--Reconsideration, B-209458.6, September 30, 1983, 83-2 CPD 393. The fact that SDC may not be a party to the litigation is of no consequence. Sea-Land Services, Inc., B-208690.2, February 10, 1983, 83-1 CPD 148.

We dismiss SDC's request for reconsideration.

*Harry R. Van Cleve*

Harry R. Van Cleve  
Acting General Counsel